

ality of that paper I presume will not be disputed.

Mr. KENNARD. Was not the article to which the gentleman now refers one copied into that paper?

Mr. CLARKE. No, sir; it was an original article appearing in the *Intelligencer*. That sheet is regarded as a loyal sheet, never known even to assimilate with copperheadism.

Mr. DANIEL. It is always regarded as a copperhead organ.

Mr. CLARKE. That is not my understanding of copperhead. As I was saying, as soon as these resolutions came out, that paper announced that they would not be carried out, and the announcement was taken up by other sheets throughout the north. And I regard it as an insult to the President of the United States, with all his powers and duties under the constitution of the United States, for this convention to undertake to instruct him in reference to those duties. If he has the power and thinks it necessary, he can exercise that power. But we can give him no such power, and we are only undertaking to invade his rights and his prerogative. Some time has passed, and I have yet to learn that the President has issued any order carrying out these resolutions.

We desire the protest to go upon the record, for the reason that these resolutions are not the action of the federal government, but a demand made by a portion of the citizens of the State of Maryland to do this. And when that demand is made by a portion of the citizens of this State, we desire that these views that we have recorded in this solemn form shall go along with them to the President of the United States; and I will do the President of the United States the justice to say, that before he will carry out the mere demands made by a majority of this house, I believe he will consider the rights and views embraced in this protest, and the rights and views of the majority of the people of this State, and consider properly his duties under the constitution of the United States to administer the laws as passed by Congress; his duty to see that the laws are faithfully carried out, and not to inaugurate a system of that sort, which establishes a military law and despotism throughout the State, warranted by no principle of constitutional law, warranted by no principle of justice or equity.

Mr. STIRLING. I do not intend to debate this question. I made some allusion a while ago to this paper referring to the previous question and the manner in which it was moved. I should like to know what this protest is. I understood the gentleman from Kent (Mr. Chambers) as reading the protest. But it seems now that the part about the previous question was his speech. Where is the protest? Let us hear it.

The protest was again read by the secretary.

Mr. STOCKBRIDGE. Either the passage of the resolutions referred to was the action of the convention or it was not. If they were adopted by certain individuals only, thirty-three or forty-one, then there is no right to protest against it. The only ground upon which their passage can be protested against, is that it is the action of the convention. I do not think the statement of fact is true.

Mr. STIRLING. All I have to say about that is this: whether the protest ought to be placed upon our journal or not, and whatever rights the minority may have in regard to this matter, so far as I am concerned I cannot vote to put that protest upon the journal. In the first place what does it say? It says that "whereas a certain order was adopted by thirty-three delegates to this convention."—Now that is not proper. They ought to have said, "whereas an order was adopted by this convention;" for unless they say that they have no right to protest. The very foundation of their right to protest is that, as members of the convention, they object to something the convention has done.

Now, what is the reason they do not say that the order was adopted by the convention? Because they wanted to put upon that record the fact that there were only thirty-three votes for it. The gentleman from Kent (Mr. Chambers) may complain of the language or the motives attributed to him by the gentleman from Frederick (Mr. Schley) as much as he pleases. But I say the reason why the expression "delegates," and not "convention" was used; and the reason why the votes are given, is to make the argument that this was the individual action of a small portion of this body. That is the tendency and the effect of it. What is the meaning of the statement that the order was adopted by thirty-three delegates of this body? It might mean that it was the action of a caucus merely.

So far as the rest of the protest is concerned, I was, under some misapprehension when I spoke the first time, because the gentleman from Kent was reading all the time, and I thought he was reading the protest. All this about the previous question I see was entirely outside of the protest. If these gentlemen will put this protest in language which I think is respectful to this body, and state the mere fact that certain orders were adopted by this convention against which they desire to protest, and state briefly the reasons of that protest, then I do not care whether it goes on the journal or not. I conceive it is my right to say whether or not it shall go there; and I do not believe there is any necessity for its going there. The main portion of this protest has already been placed upon the records of this body, by the resolution of the gentleman from Prince George's (Mr. Belt.) His